

Application No.: 10/028,482

REMARKS/ARGUMENTS

Claims 15, 16, 18 and 19 are cancelled herein. Claims 1, 20 and 22 have been amended. Applicants assert that no new matter is presented by these amendments and respectfully request entry of the same.

Objections to the Claims

Claim 1 is objected to because of the use of the singular form of the verb "is" with the plural form of "data". Applicants have amended claim 1 to change "is" to "are" so that the verb is in the plural form.

Claims Rejected Under 35 U.S.C §112, First Paragraph

The Examiner rejected claims 15, 16 and 22 because of the inclusion of the term "about" and claims 15 and 16 for inclusion of the term "8 hour work". Claim 22 has been amended to remove "about" from the phrase "about 30 kilobases". To expedite prosecution of the instant application, applicants have canceled claims 15 and 16. Applicants reserve the right to re-present the canceled claims in a continuation or other related application.

Claims Rejected Under 35 U.S.C §102(a) and (e)

The Examiner has rejected claims 1-4, 17, 18, 20 and 26 in view of Bass et al. (2001/0039014A1). Applicants respectfully traverse these rejections. However, applicants note that claims 19, 21, 23-25 and 27 are not rejected in the office action but are objected to for being dependent upon a rejected base claim. Applicants presume that

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the subject matter of these claims is allowable. In an effort to expedite prosecution applicants have amended claim 1 to incorporate the limitations of claims 18 and 19. Amended claim 1 includes all of the limitations of claim 19 and should be allowable. Claim 20 has been amended to make it dependent on claim 1 so that claims 2-4, 17 and 20-27 depend from amended claim 1 and should also be allowable.

Conclusion

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. Please deduct any additional fees from, or credit any overpayment to the undersigned's Deposit Account No. 01-0431. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 731-5000.

Dated: January 18, 2005

Respectfully submitted,


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